

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

CAROLYN BETHEA, et al.,
Plaintiffs,

v.

ISRAEL ROIZMAN, et al.,
Defendants.

HON. JEROME B. SIMANDLE
Civil No. 11-254 (JBS/JS)

ORDER

This matter having come before the Court upon the motion to dismiss by Defendants Daniel Esochanghi, Annetta McCormick, Charles A. Richman, and the State of New Jersey Department of Community Affairs Division ("DCA Defendants") [Docket Item 99]; the motion to dismiss by the United States Department of Housing and Urban Development and the United States of America ("Federal Defendants") [Docket Item 100]; the motion to dismiss by the State of New Jersey Housing and Mortgage Finance Agency ("NJHMFA") [Docket Item 101]; the motion to dismiss by the City of Camden Redevelopment Agency and Olivette Simpson ("CRA Defendants") [Docket Item 102]; the motion to dismiss by Lori Grifa and Susan Bass Levin, as they are sued in their individual and official capacity as former DCA Commissioners [Docket Item 150]; and the motion to dismiss by Defendant Susan Bass Levin in her individual capacity as President and CEO of the Cooper

Foundation [Docket Item 151]; the Court having considered the submissions of the parties; for the reasons explained in the Opinion of today's date; and for good cause shown;

IT IS this 27th day of **June, 2012** hereby

ORDERED the DCA Defendants' motion to dismiss [Docket Item 99] is GRANTED; and it is

ORDERED the Federal Defendants' motion to dismiss [Docket Item 100] is GRANTED; and it is

ORDERED the NJHMFA's motion to dismiss is GRANTED [Docket Item 101]; and it is

ORDERED the CRA Defendants' motion to dismiss is GRANTED [Docket Item 102]; and it is

ORDERED that Defendants Lori Grifa and Susan Bass-Levin's motion to dismiss [Docket Item 150] is GRANTED; and it is

ORDERED that Defendant Susan Bass-Levin's motion to dismiss all claims against her in her individual capacity as CEO of the Cooper Foundation [Docket Item 151] is GRANTED; and it

ORDERED that the Plaintiffs will be granted leave to file a motion to amend their complaint for the singular purpose of bringing a Section 1983 claim against Defendants McCormick and Esochanghi and any such motion to amend must be filed within 15 (fifteen) days of the entry of this order; and it is further

ORDERED all remaining claims against the DCA, DCA Defendants Richman, Grifa, Bass-Levin, McCormick, Esochanghi, the NJHMFA,

the CRA, CRA Defendant Olivette Simpson, the Defendant United States Department of Housing and Urban Development and Defendant Thumar are hereby DISMISSED WITH PREJUDICE as any amendment would be futile; and

The temporary stay on Plaintiff's motion for summary judgment [Docket Item 123], which stay was entered by Order of February 22, 2012 [Docket item 157], as well as the stay upon the cross-motion for summary judgment by the City of Camden [Docket Item 166], are hereby lifted; Plaintiffs' summary judgment motion [Docket Item 123] is hereby DISMISSED in part as moot as to each Defendant as to which the Second Amended Complaint has been dismissed in the instant Order, and the remaining Defendants shall file opposition to Plaintiffs' summary judgment motion within twenty (20) days of entry of this Order; likewise, Plaintiffs' opposition to the Defendant City of Camden's cross-motion for summary judgment [Docket Item 166] will be due within twenty (20) days of entry of this order.

s/ Jerome B. Simandle
JEROME B. SIMANDLE
Chief U.S. District Judge